



United States Attorney
District of Massachusetts

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1107 J.W. McCormack Post Office and Courthouse
Boston, Massachusetts 02109

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PRESS RELEASE

Boston...The United States has filed a hazardous waste lawsuit against the Boston and Maine Corporation under the federal Superfund statute to recover costs for cleaning up an asbestos landfill in North Billerica, it was announced today.

United States Attorney William F. Weld said the suit was filed in Federal District Court in Boston to recover \$1.1 million spent by the U.S. Environmental Protection Agency (EPA) to cover over a 21 acre landfill in Iron Horse Park, North Billerica, where asbestos had been dumped. Under the Superfund statute, passed in 1980, the Boston and Maine Corporation can be liable for EPA's cleanup costs because it owns the land and because it owned the land at the time the asbestos wastes were disposed of there. According to the complaint, Boston and Maine Corporation granted a license to the Johns-Manville Products Corporation and/or affiliated companies, to use the site for the disposal of asbestos wastes. Johns-Manville then used the site between 1944 and 1974 for the disposal of asbestos sludge, asbestos dust and asbestos waste boards. Iron Horse Park is in a residential and densely populated area. About 8300 people live within a mile of the site. Weld said that in March 1984, the Centers for Disease Control (CDC) issued a public health advisory, finding uncovered asbestos fibers at the site which presented a potential health hazard to

area residents. The CDC recommended that immediate action be taken to prevent the asbestos fibers from becoming airborne. EPA then conducted emergency work at the site between June and November 1984. The EPA inspected, sampled and surveyed the site, and then covered over the contaminated areas with eighteen inches of gravel and twelve inches of topsoil. The area was also seeded and fenced.

The case is being handled by Assistant U.S. Attorney Andrew S. Hogeland, a member of the Civil Division in Weld's office.

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